

REMARKS

Status of the Claims

Claims 1-23 and 25-36 are now present in this application. Claims 1, 27, and 28 are independent.

Claims 1, 12, 27, and 28 have been amended. Reconsideration of this application, as amended, is respectfully requested.

Request for Entry of Response After Final Rejection

This response should be entered after final rejection because the Amendment reduces the issues on appeal by placing the claims in compliance with 35 U.S.C. § 112, 2nd Paragraph, and subsequently at least places the application in better condition for appeal.

Priority under 35 U.S.C. § 119

Applicants thank the Examiner for acknowledging Applicants' claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority documents.

Drawings

Applicants thank the Examiner for indicating that the drawings are accepted.

Rejection under 35 U.S.C. § 112, 2nd Paragraph

Claims 1-23 and 25-36 stand rejected under 35 U.S.C. § 112, 2nd Paragraph. This rejection is respectfully traversed.

The Examiner has set forth certain instances wherein the claim language lacks antecedent basis or is not clearly understood.

In order to overcome this rejection, Applicants have amended claims 1, 12, 27, and 28 to correct each of the deficiencies specifically pointed out by the Examiner.

Claims 1, 27, and 28 have been amended to replace "performed" with "repeated," as suggested by the Examiner. The claims have been amended to add "respective" in the phrase "each said content providing station stores a respective selection order management table."

Claim 12 has been amended to remove "the" from "the information."

Applicants respectfully submit that the claims, as amended, particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections under 35 U.S.C. § 103

Claims 1-14, 16-23, and 25-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Application Publication 2003/0105763 (“Chatfield”) in view of U.S. Patent 6,269,394 (“Kenner”). Further, claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Chatfield in view of Kenner, and further in view of U.S. Application Publication 2005/0114445 (“Tracton”). These rejections are respectfully traversed.

A complete discussion of the Examiner’s rejection is set forth in the Office Action, and is not being repeated here.

Among features of the claimed invention, each content providing station stores a selection order management table indicative of an order for selecting. Examples of selection order management tables are shown in Figures 18, 20, and 22.

The claim was amended based on an interview held with the Examiner on July 8, 2009, during which an explanation had been presented as to differences between the claimed selection order management tables and the central database 201 of Chatfield.

Despite the claim amendment, the Examiner continues to allege that the database structure of Chatfield reads on the selection order management table (Office Action at page 5, at line 20, citing “Chatfield, Fig. 6, ¶ 0038 & 0054”). However, the Examiner’s argument does not reflect the claim as amended (Office Action at page 5, bottom paragraph, indicates “wherein [...] the content providing station,” whereas the claim had been amended to recite “each content providing station.”). Applicants submit that the Examiner’s rejection is improper at least because it ignores the explicit structural feature that “each” content providing station stores a selection order management table.

In a section “Response to Arguments,” the Examiner alleges that “it is apparent an ordering exists at least with respect to a Preferred Service Provider and an Alternative Service Provider, in which the former has a higher priority than the latter.” (Office Action at page 29,

lines 6-8). Applicants submit that one of ordinary skill would understand the difference between a priority as a selection criterion of Chatfield and a stored order of a selection order management table of the claimed invention. In other words, a stored “selection order management table” of the present invention is indicative of an order and is not indicative of a priority for selecting a connection target. Instead, as recited in claim 1, each stored “selection order management table” of the present invention is indicative of an order and items are selected from the tables in the stored order.

In order to address the unintended interpretation that a selection criteria based on priority among connection targets meets the claimed stored selection order management table from which contents are selected, Applicant has amended claims 1, 27, and 28 to explicitly define the selection order management tables as being “for selecting in turn the plurality of contents.”

Thus, for example in the present invention, assuming that two or more contents are selected in turn as connection targets, such that content A which comes first in order in the management tables is selected and a content B which comes second in order in the management tables is selected “in turn.”

On the other hand, as can be seen in Fig. 6, the database structure of Chatfield is indicative of a preferred service provider and a first through third alternative service providers. According to the service provider selection mechanism using the database structure of Chatfield, if the preferred service provider is available, the preferred service provider is connected to the end-user (para. [0046]), whereas if the preferred service provider is not available but the alternative service provider is available, the alternative service provider is connected to the end-user (paras. [0047], [0048], and [0051]). From this, the database structure of Chatfield is indicative of a priority in selecting a single service provider as a connection target from among a plurality of service providers. Accordingly, in Chatfield in a case where connection to one service provider is performed and connection to another service provider is then performed, a switching order of connection targets is not the same as an order of the priorities. It is possible, for example, that an alternative service provider having a low priority is firstly selected as a connection target and then a preferred service provider having a high priority is secondly

selected as a connection target. Subsequently, the database structure of Chatfield is not indicative of an order for selecting in turn a plurality of service providers.

For at least these reasons, Applicants submit that Chatfield fails to teach or suggest at least the claimed “each said content providing station stores a selection order management table indicative of an order for selecting in turn the plurality of contents as connection targets and, every time the same single user action to the controller is performed, each said content providing station refers to the selection order management table and switches the content to be sent back to a content of an order following an order of a currently selected content in the selection order management table in a case where the content of the order following the order of the currently selected content is present in the selection order management table,” as recited in claim 27. This argument applies as well to claims 1 and 28, as well as respective dependent claims.

At least for these reasons, Applicants submit that Chatfield fails to establish *prima facie* anticipation, and must be withdrawn.

With regard to dependent claim 15, Applicants submit that claim 15 depend, either directly or indirectly, from independent claim 1 which is allowable for the reasons set forth above, and therefore claim 15 is allowable based on its dependence from claim 1. Reconsideration and allowance thereof are respectfully requested.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Should there by an outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact **Robert Downs**, Registration No. 48,222 at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

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Respectfully submitted,

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